



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,917	02/27/2004	Randall Jenkins	D-1212	7493
28995	7590	07/14/2004	EXAMINER	
RALPH E. JOCKE 231 SOUTH BROADWAY MEDINA, OH 44256			PAIK, STEVE S	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 07/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/788,917	<b>Applicant(s)</b> JENKINS ET AL.	
	<b>Examiner</b> Steven S. Paik	<b>Art Unit</b> 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2004.
- 2a) ☐ This action is **FINAL**.      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 and 45-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 45-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Receipt is acknowledged of the Preliminary Amendment filed February 27, 2004. The Amendment includes cancelled claims 2-44, amended claim 1, and newly added claims 45-68.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 51, 52, 61-63 and 67 are rejected under 35 U.S.C. 102(b) as being anticipated by Oda (JP 11015972A).

Re claims 1, 51 and 52, Oda discloses a method and a system (face/iris photography equipment for authenticating an operator accessing an ATM, the Internet, and lock discharging of a safe; [0002] of translated Detailed Description) comprising:

a security system (Fig. 1) wherein the system is operative to restrict access to the interior of an automated banking machine component (page 1, 2<sup>nd</sup> paragraph),

wherein the system includes a database (page 1, 5<sup>th</sup> paragraph),

wherein the database includes data representative of images of individuals authorized access to the interior of the automated banking machine component (page 1, 5<sup>th</sup> paragraph),

wherein the system includes a camera (a photography machine 11a in Fig. 1),

wherein the camera is operative to capture an image of an individual (page 1, 7th paragraph),

wherein the system includes image recognition software (image-processing section recognizes the pattern of the iris pictured by the image sensor 13), wherein the software is operative to determine (by comparing images previously taken and stored in the storage 29 and images taken by the camera part of the photography machine) whether a captured image of an individual corresponds to an individual represented in the database,

wherein the system includes at least one processor (control unit 28),

wherein the at least one processor is operatively connected to the database (collating section 66 collates the iris images taken previously and stored in the storage 29) and the camera (11; page 3, 19<sup>th</sup> paragraph), wherein the at least one processor is operative to use the software (the steps used by the image-processing section).

Method claims 61-63 and 67 are essentially the same in scope as apparatus claim 1 and are rejected similarly.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 45-50, 56-60, 64-66, and 68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda (JP 11015972A) in view of Coutts (US 5,563,393).

Re claims 45-47, 50, 56, 57, 60, 64-66, and 68, Oda discloses a face/iris photography apparatus for use during safety lock release, internet accessing, ATM transactions by comparing the facial images of an operator taken by a camera part of the apparatus with the images of the operator taken previously and stored in a database. The access to the secured area such as ATM with the apparatus simplifies the granting access procedures (direct access).

Although Oda provides the applicable usages of the apparatus, he does not explicitly disclose the details of a component of an automated teller machine.

Coutts discloses a plurality of automated teller machines (ATMs) in an ATM network (Fig. 1). Each of the ATM (10) includes a plurality of currency cassettes (col. 6, ll. 8-10) for holding supplies of currency notes. Each of cassettes includes at least one data indicator (cassette present sensors 42 and cassette low sensors 44) indicating data representative of a characteristic of cassette currency (presence of currency cassette and detection of the supply level of currency quantity in the cassette). The ATM further includes at least one cassette reader (interface device 12) for remotely reading the data of a data indicator (any of data indicators 22-44) without contact therebetween.

In view of Coutts, it would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to further incorporate aforesaid ATM comprising, among other things, a currency cassette with a plurality of data indicators in addition to a face/iris photography apparatus for use during safety lock release, internet accessing, ATM transactions of Oda due to the fact that more simplified and secured access control of a security area can be accomplished for the purposes of improving the levels of security by selectively granting the access to the highly secured area.

Re claims 48 and 58, Oda in view of Coutts discloses the apparatus as recited in rejected claims 47 and 57 stated above, wherein the at least one processor is operative to grant access to the interior of the security container responsive to a positive determination (access is granted when the previously taken and stored iris image of an operator is in agreement with the iris image of a person attempting to gain access).

Re claims 49 and 59, Oda in view of Coutts discloses the apparatus as recited in rejected claims 47 and 56 stated above, wherein the lock control device requires entry of multiple combinations to permit access to the interior of the security container, wherein the at least one processor is operative to reduce the number of required combinations responsive to a positive determination (see Abstract of Oda reference).

6. Claims 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oda (JP 11015972A) in view of Heath, Jr. (US 5,451,757).

Re claims 53-55, Oda discloses a face/iris photography apparatus for use during safety lock release, internet accessing, ATM transactions by comparing the facial images of an operator taken by a camera part of the apparatus with the images of the operator taken previously and stored in a database.

However, Oda reference is silent about storing the data and time of attempted and granted access to the interior of the component and using a serial number for further authentication.

Heath Jr. discloses a system for authorizing access to a secured device, such as an automated teller machine (ATM) or a pay telephone, without a key or combination for the secured device, and without a fixed communication link extending to the device. Furthermore, The ATM can maintain a historical file of all attempts to access the vault,

whether granted or disallowed. If a loss occurs, one can consult the historical file for the loss activity. This information may also predict problems arising from repeated attempts to access the vault. And this access information can include verification that access was allowed, the date and time of such allowance, and the time that the access was terminated, i.e., that the technician closed and relocked the vault door 52. The technician also uses a serial number of portable equipment for gaining access to the ATM. As previously mentioned, the historical file of all attempts and grants of the ATM system undoubtedly minimizes the risk of unauthorized access of the ATM.

Therefore, it would have been obvious at the time the invention was made to a person having of ordinary skill in the art to incorporate the teaching of Heath, Jr. such as saving all the historical file of all attempted and granted access and using the serial number information of a portable equipment into the teachings of Oda for the purpose of maximizing the security of granting access to a secured area by storing all the historical information of attempted and granted access to ATMs.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hutchison (US 4,992,648) discloses a currency cassette in a data transfer system; Forrest (US 5,719,383) discloses a transaction terminal such as an automated teller machine comprising cash disperser unit, a central processing unit, and other sensing units for optimizing the operation of the ATM.

Art Unit: 2876

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven S. Paik whose telephone number is 571-272-2404. The examiner can normally be reached on Mon - Fri (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Steven S. Paik  
Examiner  
Art Unit 2876

ssp